

September 5, 2006

Lena Sorenson
851 Main Road
Tiverton, Rhode Island 02878

Re: Tiverton Zoning Board Relief, Map 7-9, Plat 51, Lot 4

The following is the decision on your Petition heard by the Zoning Board of Review (hereinafter the "Board") on September 5, 2006 appealing a decision of the Tiverton Building Official to issue a Notice of Violation on May 16, 2006 that an automotive business was being conducted on property located at 851 Main Road, Tiverton, Rhode Island, at Map 7-9, Plat 51, Lot 4 (the "Premises"), located in an R30 residential district and to cease and desist that automotive business activity.

After the facts were presented to the Board at the public hearing for which due notice was given and a record kept, the Board found that the petitioner did not show sufficient evidence that the Building Official's decision should be overturned. The Board found that many vehicles were located on and about the residentially-zoned portion of the Premises in various conditions of repair. The Board also found that a garage located on the Premises was being used to repair and/or store vehicles. The petitioner offered no explanation about the purpose of the vehicles being located on the Premises or evidence to refute the decision of the Building Official. The petitioner also alleged that they found no evidence that they ever receive notice of a zoning ordinance map amendment to the Premises conducted by the Town of Tiverton in 2001.

Based on the foregoing, on a motion by Mr. Edwards and seconded by Mr. Taylor, the Board unanimously voted to deny the petitioner's appeal of the Tiverton Building Official on the basis that the petition was barred by the 30 day statute of limitations regarding amendments to and the enactment of zoning ordinances, contained at R.I. General Laws 45-24-71 and that the petitioner failed to introduce sufficient evidence into the record of the hearing to show that the Building Official's Notice of Violation constituted error.

This decision must be recorded in the Land Evidence Records in the Town Clerk's Office. (Please note that the appeal period (20 days) begins only after this decision is recorded and posted with the Town Clerk's Office).

Very truly yours,

David Collins, Chairman
Tiverton Zoning Board of Review

Recorded 9-8-06
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